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UNCLAS SECTION 01 OF 02 ABUJA 002865

SIPDIS

SENSITIVE

FOR INL/AAE-PRAHAR/FLOOD

E.O. 12958: N/A

TAGS: [SNAR](#) [NL](#)

SUBJECT: NIGERIA: 2002 NARCOTICS CERTIFICATION REPORT CARD

REF: A) 02 STATE 190339
B) 02 STATE 124582
C) 01 ABUJA 2983

1.(U) This responds to Ref A's request for a certification report card showing the Government of Nigeria's (GON's) achievements in meeting the certification benchmarks contained in Ref B.

[1A. Major Traffickers](#)

2.(SBU) The USG urged the GON to have the NDLEA Joint Task Force (with DEA) focus more effectively on dismantling Nigeria-based drug trafficking networks that affect the United States. The GON was asked to produce at least one arrest and prosecution of a major drug trafficker.

-- Under the leadership of a skilled and energetic new director, the performance of the Joint Task Force (JTF) has improved. However, the JTF has not yet arrested a major drug trafficker. In working closely with the DEA Lagos office, it has made significant progress in investigating four kingpins whose trafficking operations affect the United States. DEA reports that the cooperation with the JTF's NDLEA staff is excellent. A major arrest is anticipated soon, according to the DEA.

-- Despite severe budgetary constraints (largely the result of the National Assembly's failure to approve a federal budget in FY02), President Obasanjo on October 15 ordered the payment of increased federal funds to the NDLEA - 115 million naira (roughly USD 1 million) in capital expenditures and an estimated 75 million naira (roughly USD 650,000) in additional recurring operational funds. This is a strong and tangible sign of the Executive's commitment to drug enforcement efforts, especially in today's cash-strapped GON budgetary environment.

[1B. Extradition](#)

3.(SBU) The USG asked the GON to strengthen its extradition practice and procedures, including its extradition unit within the Ministry of Justice.

-- In August 2002 the GON successfully extradited Gabriel Umoh, a dual-national convicted in Northern California for financial fraud. An additional extradition case is now before the High Court of Lagos and a third case is close to being filed in court.

[1C. Interdiction](#)

4.(SBU) The USG asked the GON to intensify efforts at the Lagos airport to ensure direct flights to the United States do not become major drug trafficking conduits. The GON was also asked to extend greater control over mail and commercial delivery services and to improve use and maintenance of INL-furnished "Itemiser" drug detection scanners at Lagos' Murtala Muhammed International Airport.

-- The NDLEA unit at Lagos' Murtala Muhammed International Airport (MMIA) continues to conduct 100 percent searches of passengers and carry-on baggage boarding direct flights to the U.S., as well as random searches of checked baggage for flights to Europe and the U.S. Country-wide year-to-date (as of September) seizures of cocaine and heroin are 73.38 kg and 16.96 kg, respectively. (Note: Over 60 percent of

the cocaine seizures and 95 percent of heroin seizures were made by the NDLEA unit at Lagos' airport. End Note) Over 220 metric tons of cannabis have been seized in the last nine months. 2,004 persons have been arrested for drug trafficking crimes, mostly for cannabis trafficking offenses. The RNLEO has discussed concerns over the apparently under-use of the Itemisers with the NDLEA Chairman and the NDLEA Zonal Commander at MMIA. Both officials have pledged to improve operational use of the machines, and their pledge will be reinforced by new training INL will provide in the coming weeks.

D. Money Laundering and Asset Forfeiture

5.(SBU) The USG requested the GON to take necessary steps to bring Nigeria into compliance with FATF recommendations, specifically through the enactment of new anti-money laundering legislation. The USG also asked that the GON to consider expanding its provisions for asset forfeiture, for limited use by the Anti-Corruption Commission, NDLEA and Police CID.

-- Nigeria was designated a "non-cooperating country or territory (NCCT)" by the FATF for the second consecutive year in June 2002. On October 11, 2002 the FATF decided to impose "counter-measures" against Nigeria, effective December 15, 2002, unless the GON passes necessary changes to Nigeria's 1995 Money Laundering Act by that date. The President's office has pledged to work with the National Assembly to make the needed legislative amendments by the December 15 deadline. There are early indications that the Nigerian legislature also will cooperate.

-- The 2000 Anti-Corruption Law has provisions for the forfeiture of assets derived from corruption. The draft Economic and Financial Crimes Commission Act has similar provisions applicable against the laundering of proceeds of any criminal felony.

E. Corruption

6.(SBU) As a measure of the GON's resolve to tackle corruption, the USG asked the GON to fund and staff adequately the two year-old Independent Corrupt Practices and Other Related Offences Commission (ICPC). Additionally, the ICPC should prosecute at least three high-level officials on corruption charges.

-- In early 2002, the ICPC received budget allocations necessary to fund and train (with some INL assistance) over 100 new staff members. In September 2002, verdicts were delivered in the first three ICPC cases prosecuted. These involved two Local Government Area (LGA) Chairmen and a High Court judge -- all considered senior officials. Additional court cases will be concluded in the near future. The ICPC has over 100 cases pending against officials at the local, state, and national levels. ICPC staff recently indicated that several Ministers and Governors are under serious investigation.

F. Demand Reduction

7.(SBU) The USG asked the GON to provide adequate funding and personnel to implement the demand reduction component of Nigeria's drug control policy plan.

-- The NDLEA has an active demand reduction program, which provides awareness and education programs targeting primary and secondary schools and all elements of the mass media.

G. Controlled Delivery

8.(SBU) The USG asked the GON to cooperate with controlled deliveries, as called for in Article II of the 1988 UN Convention on Narcotics and Psychotropic Substances.

-- The NDLEA Chairman has stated his commitment to cooperate fully with any proposed controlled delivery operations initiated by the DEA.

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